

**Montana Trial Lawyers**  
**ASSOCIATION**

BUSINESS, LABOR & ECONOMIC AFFAIRS

EXHIBIT No. 8

3-7-07

HB 76

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DATE: March 7, 2007

TO: Senate Business and Labor Committee

FROM: Andrea J. Olsen, Montana Trial Lawyers Association

RE: HB 76

Thank you for the opportunity to present the language below that we believe would clarify the right to a jury trial for claimants using the Human Rights administrative procedure and appeals. I have presented the proposed language to Jerry Keck with the Human Rights Bureau and he opposes this "amendment". Please do not hesitate to let me know if I may be of further service in this matter.

Thank you for your consideration for the following:

Amendment to House Bill 76  
For the Senate Business and Labor Committee

Prepared by Montana Trial Lawyers Association  
March 7, 2007 (9:05am)

**Following section c, line 9: "49-2-505."**

**Insert section d on line 10:**

"(d) The charging party may also commence proceedings in the district court as provided in [Section 6]. The charging party must file the claim in district court within 10 days of the date the department certifies the case for hearing. In the event the charging party does file the complaint in district court, the department shall dismiss the case from the department's administrative process."